

Calendar No. 1976

82D CONGRESS }
2d Session }

SENATE

{ REPORT
No. 2053 }

EXCHANGE OF LANDS IN OTTAWA NATIONAL FOREST

JULY 2 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany H. R. 5055]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 5055) to authorize the exchange of certain lands of the United States situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich., and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

H. R. 5055 was reported to the House June 9 and a copy of the report (H. Rept. 2098), explaining the bill, is attached hereto as a part of this report.

[H. Rept. No. 2098, 82d Cong., 2d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 5055) to authorize the exchange of certain lands of the United States situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich., and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

In 1937 the Forest Service acquired a 5-acre tract of land in Ontonagon County, Mich., as the prospective site of a fireguard station. Because of the subsequent development of the land in the area, the fireguard station was not constructed and the land has never been used for any purpose by the United States.

If the land had been purchased with regular Forest Service funds, it could be exchanged for lands of not less than equal value within the nearby Ottawa National Forest merely by obtaining the consent of the National Forest Reservation Commission. Since the land was purchased with emergency conservation funds, however, it is not subject to the laws permitting such land exchange, and therefore a special act of Congress such as this is necessary to permit such exchange.

The Forest Service paid \$75 for the land and has spent no money on improvements. The land is now estimated to be worth 5 to 10 times as much as it was when purchased. Since the United States will gain lands at least equal to the

present value of the property in exchange, the United States will receive the benefit of the appreciated value of this 5-acre tract. The lands received by the Forest Service in this exchange will become regular Forest Service property, subject to the usual laws and regulations pertaining to the national forests.

Approval of the legislation is recommended by the Secretary of Agriculture and concurred in by the Bureau of the Budget. The letter of Secretary Brannan of October 23, 1951, recommending favorable action on the bill H. R. 5055 is appended hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., October 23, 1951.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. COOLEY: This is in reply to your request of August 24 for this Department's recommendation on H. R. 5055, a bill to authorize the exchange of certain lands of the United States situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich., and for other purposes.

This bill would authorize the Secretary of Agriculture, with the approval of the National Forest Reservation Commission, to exchange a described 5-acre tract of land in Ontonagon County, Mich. in the Ottawa National Forest, for other lands of at least equal value within the same forest. Lands conveyed to the United States in exchange for this tract would, under the provisions of the bill, be national forest lands subject to laws and regulations applicable to lands acquired under the Weeks law of March 1, 1911. The Weeks law is the basic act under which national forest lands are purchased.

The 5-acre tract was purchased by the United States, through the Forest Service, in 1937 for \$75. All minerals to within 50 feet of the surface were reserved by the vendor, so that the United States has title to the surface only. The parcel was intended as a site for a forest fireguard station for the protection of forest lands which, at the time, the Forest Service planned to acquire in the area. Such lands were not acquired, however, and the contemplated station was not built. The tract therefore is unimproved. There appears little likelihood that the site will be needed in the future. It is isolated from other national forest areas by several miles of intervening privately and State-owned land.

This tract was purchased pursuant to the Emergency Conservation Act of March 31, 1933, as amended, which authorized the purchase of land in connection with projects thereunder. The tract therefore does not have national-forest status and is not within the purview of any existing laws authorizing the exchange of national-forest lands.

In January 1951, the Copper Range Co. expressed a desire to reacquire this tract as it is part of an area on which the company plans to construct improvements and facilities for mining a body of copper-bearing ore. The tract is surrounded by other lands owned by this company for some distance in all directions.

The bill provides that the value of the land to be obtained must be at least equal to that of the 5-acre tract given in exchange. The offered land value must be reviewed and approved by the National Forest Reservation Commission prior to consummation of the exchange, so such value need not be discussed in this report.

This Department recommends that the bill be passed.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*